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FACSIMILE TRANSMISSION

DATE: October 9, 2003

TIME IN: 228
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| Name | Fax Number | Phone Number |
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| C. Sherr - Unit 2161 United States Patent and Trademark Office | (703) 872-9326 | (703) 305-0625 or (703) 305-3900 |
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FROM: Daniel R. Pote

PHONE: 602-382-6325

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MESSAGE:

Attached please find our Response to the Office Action dated May 9, 2003.

OCT 10 2003

OFFICIAL

ORIGINAL DOCUMENT: Will be sent

NUMBER OF PAGES (Including Cover): 200

CONFIRMATION NO.:

CLIENT MATTER NO.: 32277.0100

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REQUESTOR:

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THE U.S. PATENT AND TRADEMARK OFFICE OFFICIAL MAIL ROOM STAMP AFFIXED HERETO ACKNOWLEDGES RECEIPT OF THE ITEMS CHECKED BELOW

Serial No. 09/206,782

Applicant: Peevey

Filing Date: December 7, 1998

Title: MFA FOR METERING ELECTRICITY USAGE AND ELECTRONICALLY PROVIDED INFORMATION ASSOCIATED THEREWITH

☐ Patent Application

☐ Pages in Spec. No of Claims

☒ Drawing Sheet (F) ONE

☒ Check # 2110 NO. 293679

☐ Power of Attorney

☐ Extension of Time (duplicate)

☐ Preliminary Amendment

☐ Amendment

☐ Amendment after FINAL Rejection

☐ Issue Fee (Base and/or Balance)

☒ Response to

☐ Assignment, Cover sheet and Fee

☐ Declaration

☐ Information Disclosure Statement & Form PTO/SB/08A

☒ Marked items placed in First Class Mail on OCT 9, 2003

☐ Marked items filed via Express Mail No. / on

S&W Docket No. 32277-0100 DRP

10/09/03 14:27 FAX 602 382 6070

SNELL & WILMER E

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1221**Snell & Wilmer**L.L.P.
ONE ARIZONA CENTER
PHOENIX, ARIZONA 85004-0001HOME OFFICE
BANK ONE
PHOENIX, ARIZONACHECK N^o 293679

DATE October 9, 2003 AMOUNT

TWO HUNDRED TEN-----00/100

\$210.00

NOT TO EXCEED \$250.00PAY
TO THE
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OF• DIRECTOR, U.S. PATENT AND
TRADEMARK OFFICE**Snell & Wilmer**
L.L.P.

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BY

⑈293679⑈ ⑆122100024⑆

1230⑈371⑈

| DESCRIPTION | ACCOUNT NO. | AMOUNT |
|-----------------------------|-------------|----------|
| 2-month extension fee (DRP) | 32277.0100 | \$210.00 |

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PTO/SB/21 (08-03)
Approved for use through 07/31/2005. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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| | | |
|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/206,782 |
| | Filing Date | December 7, 1998 |
| | First Named Inventor | Peavey |
| | Art Unit | 2161 |
| | Examiner Name | C. Sherr |
| Total Number of Pages in This Submission | Attorney Docket Number | 32277.0100 |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Daniel R. Pote Snell & Wilmer LLP One Arizona Center, 400 East Van Buren, Phoenix, Arizona 85004-2202 |
| Signature | |
| Date | October 9, 2003 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---------------|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the | | | |
| Typed or printed name | Sheila Bowman | Date | October 9, 2003 |
| Signature | | | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (08-03)

Approved for use through 07/31/2008. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$210.00

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/206,782 |
| Filing Date | December 7, 1998 |
| First Named Inventor | Peevey |
| Examiner Name | C. Sherr |
| Art Unit | 2161 |
| Attorney Docket No. | 32277.0100 |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 19-2814

Deposit Account Name Snell & Wilmer LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) |

2. EXTRA CLAIM FEES FOR UTILITY AND

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = 0 | X | 0.00 |
| Multiple Dependent | -3** = 0 | X | 0.00 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|-------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$) \$0.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non - English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 410 | 2252 205 | Extension for reply within second month | 210.00 |
| 1253 930 | 2253 465 | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | Design issue fee | |
| 1503 630 | 2503 315 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR § 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Statement | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 750 | 2810 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 750 | 2801 375 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$210.00

SUBMITTED BY

Name (Print/Type) Daniel R. Pote

Signature

Registration No.
(Attorney/Agent)

43,011

Complete (if applicable)

Telephone

(602) 382-6325

Date

October 9, 2003

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